C.S.'100 (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 2917 OF 2004

BETWEEN

Laxmi Chand Kaushik S/o Makhan Chand Kaushik, aged about 44 years, Clerk Assistant Grade III, presently posted at Water Resource Department Division Kanker, District Kanker.

PETITIONER

A N D

1. The State of Chhattisgarh, through the Secretary Department of Water Resource, Mantralay, D.K.S. Building, Raipur (CG).

2. Engineer-in-Chief, Water Resource Department, Sihava Bhawan, Raipur.

3. K.K.Kunjaam, Clerk Assistant Grade 3, Water Resource Division Kendagaon District Kanker.

4. R.C.Mishra , Senior Accounts Clerk, Assistant Grade 2, Water Resource Department, Division Kanker (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

P.R. No. 2959/04 Presented by Shri ... dated ... 8.7.04

XI-HC-22

(68)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 2917/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20/9/2004

Shri Awadh Tripathi for the petitioner.

Shri Satish Gupta, Dy. Govt. Advocate, for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that alongwith the petitioner, 14 other persons have been transferred on their own expenses and the petitioner has alone been transferred on administrative ground. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within ten days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt of the representation. Since the petitioner alone has been transferred on administrative ground and other 14 persons have been transferred on their own expenses, it is directed that till the representation is decided, the petitioner shall be allowed to continue on the present place of posting. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.2566/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

[पीछे देखिये